

11/09/01  
01055 U.S. PTO

PATENT

Customer Number 22,852

Attorney Docket No. 3495.0104-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Prior Application Art Unit: 1648 Prior Application Examiner: J. Parkin

SIR: This is a request for filing a

☒ Continuation ☐ Continuation-in-Part ☐ Divisional Application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. 08/467,161, filed June 6, 1995, which is a continuation of application Serial No. 08/132,919, filed October 7, 1993, now U.S. Patent No. 5,545,726, which is a continuation of 07/756,998, filed September 9, 1991, now U.S. Patent No. 5,310,651, which is a continuation of application Serial No. 07/602,383, filed October 24, 1990 (abandoned), which is a continuation of application Serial No. 06/916,080, filed October 6, 1986 (abandoned), which is a continuation-in-part of application Serial No. 06/835,228, filed March 3, 1986, now U.S. Patent No. 4,839,288. Application Serial No. 07/756,998, filed September 9, 1991 is also a continuation of application Serial No. 07/604,323, filed October 24, 1990 (abandoned), which is a continuation of application Serial No. 06/933,184, filed November 21, 1986 (abandoned), which is a continuation-in-part of application Serial No. 06/916,080, filed October 6, 1986 (abandoned), which is a continuation-in-part of application Serial No. 06/835,228, filed March 3, 1986, now U.S. Patent No. 4,839,288, of Marc ALIZON, Luc MONTAGNIER, Francois CLAVEL, Francoise BRUN-VEZINET, and Denise GUETARD for NUCLEIC ACID-BASED METHODS FOR THE DETECTION OF HUMAN IMMUNODEFICIENCY VIRUS TYPE 2 (HIV-2), all of which are incorporated herein by reference.

1. ☒ Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior application Serial No. 07/756,998, as originally filed on September 9, 1991, which is incorporated herein by reference.
2. ☐ Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3. ☐ Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 1.22(b)(2)(B)(i).
4. ☒ Cancel Claims 2-15, leaving Claim 1.
5. ☐ A Preliminary Amendment is enclosed.

09/986634  
11/09/01  
0971 U.S. PTO

09986634 11/09/01

LAW OFFICES

FINNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N.W.  
WASHINGTON, DC 20005  
202-408-4000

6. ■ The filing fee is calculated on the basis of the claims existing in the prior application as amended at 4 and 5 above.

Basic Application Filing Fee					\$740	\$ 740.00
	Number of Claims		Basic	Extra Claims		
Total Claims	1	-	20	0	x \$18	-0-
Independent Claims	1	-	3	0	x \$84	-0-
<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)					+\$280	-0-
Subtotal						\$ -0-
Reduction by 1/2 if small entity						- -0-
TOTAL APPLICATION FILING FEE						\$ 740.00

7. ■ APPLICATION SUBMITTED WITHOUT FILING FEE.

8. ■ Amend the specification by inserting before the first line, the following new paragraph:

This is a continuation of application Serial No. 08/467,161, filed June 6, 1995, which is a continuation of application Serial No. 08/132,919, filed October 7, 1993, now U.S. Patent No. 5,545,726, which is a continuation of 07/756,998, filed September 9, 1991, now U.S. Patent No. 5,310,651, all of which are incorporated herein by reference.

9. ■ New formal drawings are enclosed.
10. ■ The prior application is assigned of record to: Institut Pasteur of Paris, France.
11. ■ Priority of application Serial Nos. 86 00910, 86 00911, 86 01635, and 86 01985, filed on January 22, 1986, January 22, 1986, February 6, 1986, and February 13, 1986, respectively, in France are claimed under 35 U.S.C. § 119. A certified copy

☐ is enclosed or ■ is on file in the prior application.

12. ☐ Small entity status is appropriate and applies to this application.

13. ■ The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F.

106077-439350

LAW OFFICES

FINNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N. W.  
WASHINGTON, DC 20005  
202-408-4000

Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilly, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewris, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413; David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220; Walter Y. Boyd, Jr., Reg. No. 31,738; Steven M. Anzalone, Reg. No. 32,095; Jean B. Fordis, Reg. No. 32,984; Roger D. Taylor, Reg. No. 28,992; Barbara C. McCurdy, Reg. No. 32,120; James K. Hammond, Reg. No. 31,964; Richard V. Burgujian, Reg. No. 31,744; J. Michael Jakes, Reg. No. 32,824; Thomas W. Banks, Reg. No. 32,719; Christopher P. Isaac, Reg. No. 32,616; Bryan C. Diner, Reg. No. 32,409; M. Paul Barker, Reg. No. 32,013; Andrew Chanhon Sonu, Reg. No. 33,457; David S. Forman, Reg. No. 33,694; Vincent P. Kovalick, Reg. No. 32,867; James W. Edmondson, Reg. No. 33,871; Michael R. McGurk, Reg. No. 32,045; Joann M. Neth, Reg. No. 36,363; Gerson S. Panitch, Reg. No. 33,751; Cheri M. Taylor, Reg. No. 33,216; Charles E. Van Horn, Reg. No. 40,266; Linda A. Wadler, Reg. No. 33,218; Jeffrey A. Berkowitz, Reg. No. 36,743; Michael R. Kelly, Reg. No. 33, 921; James B. Monroe, Reg. No. 33,971; Doris Johnson Hines, Reg. No. 34,629; Allen R. Jensen, Reg. No. 28,224; Lori Ann Johnson, Reg. No. 34,498; David A. Manspeizer, Reg. No. 37,540; John Rissman, Reg. No. 33,764; M. Lawrence Oliverio, Reg. No. 30,915; and Therese Hendricks, Reg. No. 30,389.

14. ☒ The power appears in the original declaration of prior application Serial No. 07/756,998. A copy of the original declaration was also submitted on July 10, 2001, in prior application Serial No. 08/467,161.
15. ☐ Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.

FOOT-4E98660

LAW OFFICES

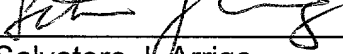
FINNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N. W.  
WASHINGTON, DC 20005  
202-408-4000

16. ☒ Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852.**
17. ☐ Recognize as associate attorney \_\_\_\_\_
18. ☐ Also enclosed is \_\_\_\_\_

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in the parent application; Serial No. 08/467,161, filed June 6, 1995, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: November 9, 2001

By:   
Salvatore J. Arrigo  
Reg. No. 46,063  
Telephone: 202-408-4160  
Facsimile: 202-408-4400  
E-mail: arrigos@finnegan.com

105077 4E998660

LAW OFFICES

FINNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N. W.  
WASHINGTON, DC 20005  
202-408-4000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Marc ALIZON et al. ) Prior Appln.  
 ) Group Art Unit: 1648  
Serial No.: To Be Assigned ) Prior Appln.  
(Cont. of USSN 08/467,161 (6/6/95)) ) Examiner: J. Parkin  
Filed: November 9, 2001 )  
For: NUCLEIC ACID-BASED METHODS FOR THE DETECTION  
OF HUMAN IMMUNODEFICIENCY VIRUS TYPE 2 (HIV-2)

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

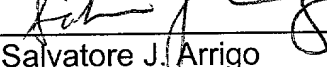
**SUBMISSION OF FORMAL DRAWINGS**

Subject to the approval of the Examiner, applicants submit 7 sheets of formal drawings herewith (Figures 1A, 1B, 2A, 2B, 2C, 2D, 3A, 3B, 4A, 4B, and 5). If the formal drawings for any reason are not in full compliance with the pertinent statutes and regulations, please so advise the undersigned.

If any fees are necessary for the submission of these formal drawings, please charge our Deposit Account No. 06-0916.

Respectfully submitted,  
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: November 9, 2001

By:   
Salvatore J. Arrigo  
Reg. No. 46,063  
Telephone: 202-408-4160  
Facsimile: 202-408-4400  
E-mail: arrigos@finnegan.com